IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF OKLAHOMA

| JAMES D. COPHER, CYNTHIA COPHER, |) |
|--|-------------------------|
| JAMES RICHARD, ROSAMMA RICHARD, |) Case No. CIV-13-353-M |
| on behalf of themselves and all others similarly |) |
| situated, |) |
| |) |
| Plaintiffs, |) |
| v. |) |
| |) |
| BANK OF AMERICA, N.A., and BAC HOME |) |
| LOANS SERVICING, L.P. |) |
| |) |
| Defendant. |) |

MOTION FOR ENTRY OF THE REVISED PROPOSED PRELIMINARY APPROVAL ORDER

On January 14, 2016, plaintiffs filed a Settlement Agreement proposed Order, along with the Unopposed Motion and Brief in Support of Preliminary Approval of Class Action Settlement. (Dkt. Nos. 91 and 91-2), seeking preliminary approval of the proposed settlement of this class action. On February 9, 2016, this Court entered the preliminary approval order substantially in the form submitted by counsel (Dkt. No. 94). Unfortunately, in reviewing the Court's Order, it came to the parties' attention that the submitted proposed order included certain wrong time periods. Accordingly, plaintiffs respectfully submit this motion requesting that the Court enter the Revised Proposed Preliminary Approval Order.

Specifically, these changes require plaintiffs to file a final motion for approval of the Settlement within 28 days of the entry of the Order (i.e., March 8, 2016) in accordance with Section 3.2(e) of the Settlement Agreement (rather than 70 days after entry of the Order, as stated in the Preliminary Approval Order, ¶11); set the deadline for Class Members to submit Claim Forms or object to the Settlement at 91 days after the entry of the Order (i.e., May 10, 2016) in accordance

with Section 3.2(d) of the Settlement Agreement (rather than 84 calendar days prior to the Final Hearing, as stated in the Preliminary Approval Order, ¶9); and require the Claims Administrator, and not defendant, to submit a declaration containing a sworn verification of the mailing of notice (¶4).

Attached as Exhibit 1 to this filing is a revised proposed Order, which corrects these small differences. Attached as Exhibit 2 is a redline version of the revised proposed Order which shows the differences between the proposed Order and the February 9, 2016, Order entered by the Court. These changes conform the Order to the Settlement Agreement (Dkt. No. 91) and should not affect the hearing date of June 2, 2016, selected by the Court.

The existing Order requires the Short Form Notice to be distributed within 21 days of February 9, 2016, or by March 1, 2016. We intend to finalize the Short Form Notice using the dates included in the Revised Proposed Preliminary Approval Order (e.g., setting a deadline to file a Claim Form or object by May 10, 2016).

Additionally, Defendant has informed Plaintiffs that the Welcome Procedure Letter attached as Exhibit A to the Settlement Agreement (and filed as ECF No. 91-1) has been updated to reflect certain changes to Defendant's procedures. Attached as Exhibit 3 to this filing is an updated version of the Settlement Agreement Exhibit A that supersedes the prior filing at ECF No. 91-1.

Plaintiffs respectfully request that the Court enter a revised Order pursuant to this motion.

Dated: February 12, 2016 Respectfully submitted,

/s/ William B. Federman

William B. Federman (OBA #2853)

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2016, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

/s/ William B. Federman

William B. Federman